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10 Attorneys for Plaintiff,
11 SALT OPTICS, INC.

12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

14 SALT OPTICS, INC., a California
15 Corporation,

16 Plaintiff,

17 vs.

18 JAND, INC. d/b/a WARBY PARKER,
19 a Delaware Corporation; THE BEAR
20 CAVE DESIGN, INC., a New York
21 Corporation, and DOES 1 through 10,
22 inclusive.

23 Defendants.

Case No.: SACV10-828DOC (RNBx)

**FIRST STIPULATION TO EXTEND
DEFENDANTS' TIME WITHIN
WHICH TO RESPOND TO THE
SECOND AMENDED COMPLAINT**

24 On December 14, 2010, Plaintiff Salt Optics, Inc. ("SALT") filed a Second
25 Amended Complaint in the above-entitled action against Defendant JAND, Inc.
26 d/b/a Warby Parker ("JAND").
27

JAND was served with the Second Amended Complaint on December 13, 2010. This Court issued a Minute Order on March 4, 2011 that granted in part and denied in part JAND'S Motion to Dismiss. The parties received notice of the Minute Order via the ECF system on March 7, 2011. Therefore, and pursuant to Fed. R. Civ. P. Rule 12(a)(4), JAND's deadline to respond to the remaining claims in the Second Amended Complaint is March 21, 2011.

SALT and JAND have agreed, pursuant to Central District Civil Rule 8-3, to an additional 14 days to answer or otherwise respond to the Second Amended Complaint to continue their settlement discussions. Therefore, the parties have stipulated that Defendant JAND's deadline to respond shall be April 4, 2011.

STIPULATION

Plaintiff SALT and Defendant JAND agree and stipulate as follows:

The date for Defendant JAND to answer or otherwise respond to the Second Amended Complaint shall be and is extended by 14 days to April 4, 2011.

DATED: March 21, 2011

FOLEY BEZEK BEHLE & CURTIS, LLP

By: /s/ Roger N. Behle, Jr.
 Roger N. Behle, Jr.
 Attorneys for Plaintiff

DATED: March 21, 2011

PEPPER HAMILTON, LLP

By: /s/ M. Kelly Tillery
 M. Kelly Tillery
 Attorneys for Defendant, JAND.

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CERTIFICATE OF SERVICE

I am a member of the bar of this court. I declare under penalty of perjury of the laws of the United States that on March 18, 2011, I electronically filed the foregoing document “Stipulation to Extend Time to Respond to Initial Complaint by Not More Than 30 Days (L.R. 8-3)” using the Case Management/Electronic Case Filing (“CM/ECF”) system, which will send a Notice of Electronic Filing of the document to the CM/ECF participants.

DATED: March 21, 2011

FOLEY BEZEK BEHLE & CURTIS, LLP

By: /s/ Roger N. Behle, Jr.
Roger N. Behle, Jr.
Attorneys for Plaintiff